

IN THE CLAIMS

Please cancel claims 4, 15 and 23 without prejudice.

Please amend claims 1, 5, 10, 12, 16, 20-22 and 24 as indicated below.

Please add new claims 26-28.

The listing of claims below will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently Amended) An insulating sleeve for encircling a frusto-conical container having an open wider end located at the top of said container, comprising:

an elongate body having elongated and substantially straight top and bottom edges and first and second end edges, said body being substantially flat when said elongate body is in an unassembled configuration and said body being in a substantially cylindrical when said elongate body is in an assembled configuration with said first and second end edges fastened to each other, said body in an assembled configuration defining an annular sleeve with top and bottom openings for receiving said container therein; and

a plurality of slits cut at least partway across said body from said top edge of said body each slit comprising an entry point at said top edge of said body and a terminal point at least partway across said body;

a cut out region within said body at said terminal portion of each slit;

whereby, when said container is inserted into said sleeve through said top opening, said slits allow said top edge of said annular sleeve to spread such that said annular sleeve at least partially conforms to said container's frusto-conical shape, and

whereby said cut out region serves to spread tearing pressure caused by hoop stress on said sleeve caused by insertion of said container within said sleeve.

2. (Original) The insulating sleeve of claim 1, wherein said slits are cut in a direction generally perpendicular to said top and bottom edges.

3. (Original) The insulating sleeve of claim 1, wherein said slits are cut from about one-half to about four-fifths of the way across said body.

4. (Canceled)

5. (Currently Amended) The insulating sleeve of ~~claim 4~~ claim 1, wherein said cut out region is in a shape chosen from a horizontal line, triangle, circle, oval, square, rectangle, diamond, apple, teddy bear or animal, flame, heart, leaf, crescent, star, vinca, droplet, butterfly, shell, sun, tree, flower, umbrella, spiral, arrowhead and lips.

6. (Original) The insulating sleeve of claim 1, further comprising first and second fold lines that are scored across said body and spaced apart from each other at respective intermediate positions of said body,

whereby said body can be changed from an unassembled configuration to a folded assembled configuration by folding said first and second edges of said body at said first and second fold lines, respectively, such that the first and second edges overlap each other, and by fastening said first and second edges together to form a folded sleeve.

7. (Original) The insulating sleeve of claim 6, wherein said folded sleeve is changed from a folded assembled configuration to an open assembled configuration by squeezing on outside surfaces of the folded sleeve around said fold lines so as shape said folded sleeve into an annular sleeve with top and bottom openings for inserting a container therein.

8. (Original) The insulating sleeve of claim 1, wherein said slits number from two to six

9. (Original) The insulating sleeve of claim 1, further comprising a cut out portion at said bottom edge of said body directly opposite said body from each said slit.

10. (Currently Amended) The insulating sleeve of claim 1, further comprising a notch or rounded edge at each corner formed on said body where ~~a slit meet~~ each slit meets said upper edge.

11. (Original) The insulating sleeve of claim 1, wherein said body is formed from thermally insulating paper material stock.

12. (Currently Amended) An insulating holder for encircling a container having a conical section whose open wider end is located towards the top of said ~~cup~~ container, said holder providing thermal protection to the hand of a user holding said ~~cup~~ container and comprising:

an elongated and thermally insulating blank having substantially straight and substantially parallel top and bottom edges and left and right end edges; and

a plurality of slits cut from said top edge at least partway across said blank in the direction of said bottom edge;

said body blank being assembled into a substantially cylindrical configuration when said left and right end edges are fastened to each other so as to define an annular holder with top and bottom openings,

whereby, when said container is inserted into said annular holder through said top opening, said slits allow said annular holder to at least partially conform to said conical section of said container.

a plurality of slits cut at least partway across said body from said top edge of said body each slit comprising an entry point at said top edge of said blank and a terminal point at least partway across said blank;

a cut out region within said blank at said terminal portion of each slit;

whereby, when said container is inserted into said sleeve through said top opening, said slits allow said top edge of said annular sleeve to spread such that said annular sleeve at least partially conforms to said container's frusto-conical shape, and

whereby said cut out region serves to spread tearing pressure caused by hoop stress on said holder caused by insertion of said container within said holder.

13. (Original) The insulating holder of claim 12, wherein each slit is cut in a direction generally perpendicular to said top and bottom edges.

14. (Original) The insulating holder of claim 12, wherein each slit is cut from about one-half to about four-fifths across said blank.

15. (Canceled)

16. (Currently Amended) The insulating holder of ~~claim 15~~ claim 12, wherein said cut out region is in a shape chosen from a horizontal line, triangle, circle, oval, square, rectangle, diamond, apple, teddy bear or animal, flame, heart, leaf, crescent, star, vinca, droplet, butterfly, shell, sun, tree, flower, umbrella, spiral, arrowhead and lips.

17. (Original) The insulating holder of claim 12, further comprising a cut out portion at said bottom edge directly opposite said blank from each slit.

18. (Original) The insulating holder of claim 12, further comprising left and right fold lines across said blank spaced apart from each other at respective intermediate positions of said blank, whereby said holder can be changed from a flat, unassembled configuration to a folded assembled configuration by folding left and right edges of said blank at said left and right fold lines, respectively, such that left and right edges overlap to form a tri-folded blank, and by fastening said left and right edges together.

19. (Original) The insulating holder of claim 18, wherein said holder is changed from a folded, assembled configuration to a substantially cylindrical, assembled configuration when said fastened tri-folded blank is squeezed with an inwardly directed force about said fold lines so as shape said tri-folded blank into an annular holder with top and bottom openings for inserting a container therein.

20. (Currently Amended) The insulating holder of claim 12, further comprising a notch or rounded edge at each corner formed on said body where ~~a slit meet~~ each slit meets said upper edge.

21. (Currently Amended) An insulating holder for a container having annular side wall bounding an interior that widens in cross-section from a closed bottom end to an open top end, said holder comprising:

an annular body circumferentially surrounding the side wall about an axis, said body having top and bottom edges, a plurality of cuts extending from said top edge at least partway across said body in the direction of said bottom edge, and a diameter larger than a diameter of the bottom end of the container and smaller than a diameter of the top end of the container to enable the annular body to constrictingly engage the container side wall;

whereby, when said container is inserted into said annular body, a bottom region of said annular body constrictingly engages the container side wall and a cut top region of said annular body fans out around the circumference of the widened cross-section of said container top end.

a plurality of slits cut at least partway across said body from said top edge of said body each slit comprising an entry point at said top edge of said body and a terminal point at least partway across said body;

a cut out region within said body at said terminal portion of each slit;

whereby, when said container is inserted into said sleeve through said top opening, said slits allow said top edge of said annular sleeve to spread such that said annular sleeve at least partially conforms to said container's frusto-conical shape, and

whereby said cut out region serves to spread tearing pressure caused by hoop stress on said annular body caused by insertion of said container within said annular body.

22. (Currently Amended) The insulating holder of claim 21, wherein each slit is cut from about one-half to about four-fifths across said blank body.

23. (Canceled)

24. (Currently Amended) The insulating holder of claim 23 claim 21, wherein said cut out region is in a shape chosen from a horizontal line, triangle, circle, oval, square, rectangle, diamond, apple, teddy bear or animal, flame, heart, leaf, crescent, star, vinca, droplet, butterfly, shell, sun, tree, flower, umbrella, spiral, arrowhead and lips.

25. (Original) The insulating holder of claim 21, further comprising fold lines formed substantially opposing locations across said annular body, such that said holder may be compactly folded for storage or shipping, and said folded holder may be unfolded by being squeezed with an inwardly directed force about said fold lines.

26. (New) The insulating sleeve of claim 1, wherein said cut out region has a width greater than the width of said slit.

27. (New) The insulating holder of claim 12, wherein said cut out region has a width greater than the width of said slit.

28. (New) The insulating holder of claim 21, wherein said cut out region has a width greater than the width of said slit.